

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

**IN RE:
MARTIN CHRISTOPHER MAXEY
Debtor**

Case No.: 22-60288-RBC

Chapter 13

**Address: 928 Penlan Road
Arvonia, VA 23004-2101**

NOTICE OF OBJECTION AND NOTICE OF HEARING

Lendmark Financial Services (“Movant”), by and through its counsel, has filed papers with the court objecting to Confirmation of the Automatic Stay in the above captioned matter.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then you or your attorney must:

• Attend the confirmation hearing scheduled to be held on **May 26, 2022, at 9:30 AM, with Judge Connelly, all parties to connect using video conference instructions on the court website.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Nathaniel A. Scaggs, VSB# 77286
Hill & Rainey, Attorneys
2425 Boulevard, Suite 9
Colonial Heights, VA 23834
(804) 526-8300
Attorney for Movant

Dated: May 16, 2022

Respectfully Submitted,
Hill & Rainey, Attorneys

/s/Nathaniel A. Scaggs
Nathaniel A. Scaggs, VSB 77286
Hill & Rainey, Attorneys
2425 Boulevard, Suite 9
Colonial Heights, VA 23834
(804) 526-8300 (phone)
(804) 526-2872 (facsimile)
Bankruptcy@hillrainey.com
Attorney for Movant

CERTIFICATE OF SERVICE

I certify that on this 16th day of May, 2022, the following person(s) were or will be served with a copy of the foregoing Notice of Objection and Notice of Hearing electronically via the CM/ECF system or by first class mail, postage prepaid:

Martin Christopher Maxey
928 Penlan Road
Arvonia, VA 23004-2101

William Harville, Esquire
William Harville Attorney at Law
327 W. Main St.
Charlottesville, VA 22903-5551

Herbert L. Beskin, Trustee
123 E. Main St., Suite 310
Charlottesville, VA 22902-6800

/s/ Nathaniel A. Scaggs
Nathaniel A. Scaggs

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

IN RE:
MARTIN CHRISTOPHER MAXEY
Debtor

Case No.: 22-60288-RBC

Chapter 13

Address: 928 Penlan Road
Arvonia, VA 23004-2101

OBJECTION TO CONFIRMATION OF DEBTOR'S PROPOSED CHAPTER 13 PLAN

COMES NOW, Lendmark Financial Services ("Creditor"), by undersigned counsel, and hereby files this Objection to Confirmation of Debtor's Proposed Chapter 13 Plan, and in support thereof respectfully states as follows:

1. On or about March 24, 2022, Martin Christopher Maxey (the "Debtor(s)") filed a Voluntary Petition in this Court under Chapter 13 of the United States Bankruptcy Code.
2. Herbert L. Beskin is the Trustee of the Debtor estate.
3. Creditor is the beneficiary of a Combination Statement of Transaction, Promissory Note and Security Agreement executed by Martin Christopher Maxey on May 25, 2018 in the original financing amount \$9,434.40 (the "Note").
4. The Note was used to finance a 2002 Mercedes Benz S500 VIN No.: WDBNG75J92A246911 and is secured in the amount of \$5,886.77 in this case.
5. On or about April 7, 2022 the Debtor filed a proposed Chapter 13 Plan that "crams down" the value of collateral for this vehicle to \$3,800.00 when the NADA value is at a retail value of \$5,725.00.
6. Creditor filed a timely Proof of Claim on May 4, 2022 as Claim 4 in the amount of \$5,886.77.
7. The Debtor's proposed Chapter 13 plan does not comply with the provisions of Section 1325(a)(5) of the Bankruptcy Code.

WHEREFORE, the Movant prays this Honorable Court:

1. Enter an order DENYING confirmation of the Debtor's Chapter 13 Plan; and

2. Require the Debtor to amend the Chapter 13 Plan within an imposed deadline to reflect proper treatment of the claim; and
3. Grant such other and further relief as necessary.

Dated: May 16, 2022

Respectfully Submitted,
Hill & Rainey, Attorneys

/s/ Nathaniel A. Scaggs
Nathaniel A. Scaggs, VSB #77286
Hill & Rainey, Attorneys
2425 Boulevard, Suite 9
Colonial Heights, VA 23834
(804) 526-8300 (phone)
(804) 526-2872 (facsimile)
bankruptcy@hillrainey.com
Attorney for Movant

CERTIFICATE OF SERVICE

I certify that on this 16th day of May, 2022, the following person(s) were or will be served with a copy of the foregoing Objection to Confirmation of Debtors Proposed Chapter 13 Plan electronically via the CM/ECF system or by first class mail, postage prepaid:

Martin Christopher Maxey
928 Penlan Road
Arvonia, VA 23004-2101

William Harville, Esquire
William Harville Attorney at Law
327 W. Main St.
Charlottesville, VA 22903-5551

Herbert L. Beskin, Trustee
123 E. Main St., Suite 310
Charlottesville, VA 22902-6800

/s/Nathaniel A. Scaggs
Nathaniel A. Scaggs



CERTIFICATE OF TITLE FOR A VEHICLE

KEEP IN SAFE PLACE. ANY ALTERATION OR ERASURE VOIDS THIS TITLE

THE DEPARTMENT OF MOTOR VEHICLES, COMMONWEALTH OF VIRGINIA, HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE HAS BEEN MADE FOR THE VEHICLE DESCRIBED AS HEREON PURSUANT TO THE PROVISIONS OF THE MOTOR VEHICLE LAWS OF THIS COMMONWEALTH, THAT THE APPLICANT NAMED ON THE FACE HEREON HAS BEEN DULY RECORDED AS THE LAWFUL OWNER OF SAID VEHICLE, AND THAT, FROM THE STATEMENTS OF THE OWNER AND THE RECORDS ON FILE WITH THIS DEPARTMENT, THE HEREON DESCRIBED VEHICLE IS SUBJECT TO THE SECURITY INTERESTS RECORDED ON FILE WITH THIS DEPARTMENT, AND AS DESCRIBED HEREIN. IF ANY, THE MOTOR VEHICLE LAWS OF THIS COMMONWEALTH ALSO PROVIDE THAT ALL TITLE AND REGISTRATION INFORMATION IN THE OFFICE OF THE DEPARTMENT OF MOTOR VEHICLES IS PRIVILEGED AND ONLY SUBJECT TO DISSEMINATION TO AUTHORIZED AGENCIES, BUSINESS ORGANIZATIONS OR AGENTS, GOVERNMENTAL ENTITIES AND INDIVIDUALS UNDER THE CONDITIONS SPECIFIED BY MOTOR VEHICLE CODE SECTIONS 46.2-208, 46.2-209 AND 46.2-210.

ESTABLISHED 02/12/16 294 LEF06 ORIGINAL

VEHICLE IDENTIFICATION NO.	YEAR	MAKE	VEHICLE BODY	TITLE NO.			
WDBNG75J92A246911	2002	MERCEDES	B-4D-SDN	74026299			
EMPTY WGT.	GROSS WGT.	GVWR	AXLES	FUEL	SALES TAX PAID	ODOMETER	DATE ISSUED
4000	4000	4000	2	GAS	204.80	232075*	06/12/18
REFERENCE DATA				ODOMETER BRAND	PRIOR TITLE NO.		
IND				ACTUAL	59427002		

Enter buyer's name(s) and address(es):

LENDMARK FINANCIAL SERVICES
2118 USHER STREET
COVINGTON GA 30014

THIS IS NOT A TITLE NUMBER

630 313 25

INTEREST IN THE ABOVE DESCRIBED VEHICLE IS HEREBY RELEASED

RELEASED	By	
DATE	TITLE	DATE

Name(s) and address(es) of vehicle owner(s):
MAXEY, MARTIN CHRISTOPHER
C-28 PENLAN RD
ARVONIA VA 23004-2101

A		Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.		
I, the undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address of Buyer(s):				
Buyer(s) Name				
Street		City, State, Zip		
ODOMETER READING (In Miles)		I certify to the best of my knowledge that the odometer reading is <input type="checkbox"/> ACTUAL Mileage <input type="checkbox"/> NOT ACTUAL Mileage (odometer discrepancy) <input type="checkbox"/> IN EXCESS of Mechanical Limits <input type="checkbox"/> Model year is 10 years or older and was exempt from odometer disclosure in prior state of title (applicant must present out-of-state title showing exemption)		
Signature of Seller(s)		Printed Name of Seller(s)		
Signature of Buyer(s)		Printed Name of Buyer(s)		
I am aware of the above odometer certification made by the Seller(s)		I am aware of the above odometer certification made by the Seller(s)		
Dealer's No.		Licensing Jurisdiction		

LENDMARK FINANCIAL SERVICES
C/O LENDMARK
907 MAIN STREET
FARMVILLE VA 23901



J.D. POWER 

NADAguides.com is becoming part of JDPower.com. Learn more.



[Home](#) > [Car Pricing](#) > [Change Make](#) > [Change Year & Model](#) > [Change ZIP](#) > [Price with Options](#) >
Values

[CHANGE CAR](#) [COMPARE](#)

2002 Mercedes-Benz S500 Prices and Values

4 Door Sedan

[VALUES](#) [SPECIAL NOTES](#)

Values[®]

	Original MSRP	Low Retail	Average Retail	High Retail
Base Price	\$80,200	\$4,050	\$5,725	\$9,300
<hr/>				
Options (Add)				
Total Price	\$80,200	\$4,050	\$5,725	\$9,300